

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 07-2004)		ATTORNEY DOCKET NUMBER L7725.04106
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 101,906
INTERNATIONAL APPLICATION NO. PCT/EP2002/011694	INTERNATIONAL FILING DATE October 18, 2002	PRIORITY DATE CLAIMED
TITLE OF INVENTION CONSTELLATION REARRANGEMENT FOR ARQ TRANSMIT DIVERSITY SCHEMES		
APPLICANT(S) FOR DO/EO/US Christian WENGERTER Alexander GOLITSCHEK EDLER VON ELBWART and Eiko SEIDEL		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 		
Items 13 to 23 below concern document(s) or information included:		
<ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A power of attorney and/or change of address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. <input type="checkbox"/> Express Mail Label No. 23. <input checked="" type="checkbox"/> Other items or information: Cover Letter 		

24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :

<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1110.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$950.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$790.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$750.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$0.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =	0	x \$18.00	\$0.00
Independent claims	- 3 =	0	x \$88.00	\$0.00
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00
				TOTAL OF ABOVE CALCULATIONS =
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$130.00
				SUBTOTAL =
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).			<input type="checkbox"/> 20 <input type="checkbox"/> 30 +	\$0.00
				TOTAL NATIONAL FEE =
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).			<input checked="" type="checkbox"/>	\$40.00
				TOTAL FEES ENCLOSED =
				Amount to be: \$
				refunded
				charged \$

- A check in the amount of \$170.00 to cover the above fees is enclosed.
- Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
- The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-4375
- Fees are to be charged to a credit card. **WARNING: Information on this form may become public. Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

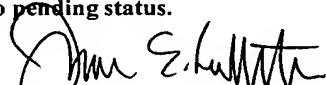
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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12/09/2004 LLANDGRA 00000044 10501906

01 FC: 617 130.00 OP


 SIGNATURE

James E. Ledbetter

NAME

28,732

REGISTRATION NUMBER

December 6, 2004

DATE

Rec'd PCT/PTO 06 DEC 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Christian WENGERTER, et al.

Application No.: 10/501,906

Filed: July 20, 2004

For: CONSTELLATION REARRANGEMENT FOR ARQ TRANSMIT
DIVERSITY SCHEMES

COVER LETTER

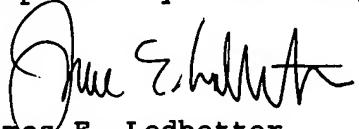
Assistant Commissioner of Patents
Washington, DC 20231

Sir:

Pursuant to MPEP 602, this cover letter accompanies the attached Declaration for Patent Application in the above-captioned application. The attached Declaration identifies the title which was on the specification as filed. This cover letter accurately identifies the application for which the attached Declaration was intended as application number 10/501,906.

Early and favorable consideration of this application is respectfully requested.

Respectfully submitted,



James E. Ledbetter
Registration No. 28,732

Date: December 6, 2004

JEL/att

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